United States District Court Southern District of Texas

## **ENTERED**

June 21, 2021 Nathan Ochsner, Clerk

## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF TEXAS MCALLEN DIVISION

UNITED STATES OF AMERICA,	§	
Plaintiff,	<b>§ § s</b>	
VS.	\$ \$ 8	CIVIL ACTION NO. 7:21-cv-00013
0.185 ACRES OF LAND, more or less, in	<b>§</b>	CIVIL ACTION NO. 7.21-cv-00013
STARR COUNTY, TEXAS; and SMV RIC	) §	
GRANDE CITY LLC,	§	
	§	
Defendants.	§	

## **ORDER**

The Court now considers Plaintiff United States' "Declaration of Taking." Therein, Loren Flossman of U.S. Customs and Border Protection declares that he has caused the estimated amount of just compensation for the taking contemplated in this eminent domain case to deposited in the registry of the Court. However, to date, no such deposit has been made. The Court has admonished the United States under similar circumstances for filing a false declaration and for its lack of diligence in prosecuting eminent domain cases before this Court. The Court therefore **ORDERS** the United States to deposit proper just compensation in the registry of the Court no later than **July 6, 2021**. Failure to make such deposit will result in dismissal of this case.

IT IS SO ORDERED.

DONE at McAllen, Texas, this 18th day of June 2021.

Micaela Alvarez United States District Judge

<sup>&</sup>lt;sup>1</sup> Dkt. No. 2.

 $<sup>^{2}</sup>$  *Id.* at 2, ¶ 6.

<sup>&</sup>lt;sup>3</sup> United States v. 0.062 Acres of Land, more or less, in Starr Cnty., No. 7:20-cv-400, Dkt. No. 31 (S.D. Tex. June 17, 2021) (Alvarez, J.).

<sup>&</sup>lt;sup>4</sup> See Ramsay v. Bailey, 531 F.2d 706, 707–08 (5th Cir. 1976) (holding that involuntary dismissal under Federal Rule of Civil Procedure 41(b) may be used by the Court to dismiss an action for want of prosecution).